| Bill no.: | 6mmi | ttee | frint 4 |
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| Amendment | | | |
| Date offered: | اما.L.C. | 121 | 02 |
| Disposition:_ | agre | العد | oby UV |
| i | • | | ′ |

AMENDMENT TO H.R.

OFFERED BY MR. SAWYER

(Amendment to Medicare Modernization and Prescription Drug Act of 2002)

(Page & line nos. refer to Committee Print of title I of June 17, 2002 9:14 PM)

At the end of title I [page 58, after line 35], add the following new section:

| LI | he following new section. |
|-----|--|
| 1 2 | SEC. 106. GAO STUDY OF THE EFFECTIVENESS OF THE NEW PRESCRIPTION DRUG PROGRAM. |
| 3 | (a) STUDY.—The Comptroller General of the United |
| 4 | States shall conduct a study on the effectiveness of the pre- |
| 5 | scription drug program provided under part D of title XVIII |
| 6 | • |
| | of the Social Security Act. Such study shall— |
| 7 | (1) report— |
| 8 | (A) the percentage of eligible individuals who en- |
| 9 | rolled in the program; |
| 10 | (B) the demographic characteristics (including |
| 11 | health status) of such enrollees; |
| 12 | (C) the number and type of qualified prescription |
| 13 | drug coverage available to such individuals (including |
| 14 | the percentage of enrollees who had access to single or |
| 15 | multiple plans); and |
| 16 | (C) the premiums imposed for enrollment in dif- |
| 17 | ferent areas; |
| 18 | (2) evaluate the processes and methods developed by |
| 9 | the Administrator and the decisions reached by outside ac- |
| 20 | tuaries to determine the actuarial valuation of prescription |
| 21 | drug coverage; and |
| 22 | (3) assess whether the subsidy payments under such |
| 23 | part accomplished its stated goals of reducing premium lev- |
| 24 | els for all beneficiaries, reducing adverse selection, and pro- |
| 25 | moting participation of PDP sponsors. |



2

- 1 (b) REPORT.—Not later January 1, 2006, the Comptroller
- 2 General shall submit a report to Congress on the study con-
- 3 ducted under subsection (a).



une 18, 2002 (6:50 PM) :\V7\061802\061802.085.YG0

F:\P7\HEALTH\MRX02\AMD\DARX2.001 [Guaranteed National Plan with \$35 premium]

| Bill no.: | Committee Yrint 9 |
|------------|---------------------|
| | mt no : 4 |
| Amendm | H.L.U. |
| Date offer | |
| Dispositio | n: Not agreed to by |
| 24 | yeas and 31 ways |

AMENDMENT TO H.R.

OFFERED BY MRS. CAPPS AND MR. PALLONE

(Amendment to Medicare Modernization and Prescription Drug Act of 2002)

(Page & line nos. refer to Print of June 14, 2002 9:14 PM)

Amend section 1860E(d) of the Social Security Act [page 34, line 31 through page 36, line 4] (as proposed to be inserted by section 101(a)(2)) to read as follows: "(d) HHS AS PDP SPONSOR FOR A NATIONWIDE PRE-1 SCRIPTION DRUG PLAN.— 2 "(1) IN GENERAL.—The Secretary, through the Ad-3 4 ministrator of the Centers for Medicare & Medicaid Services, shall take such steps as may be necessary to qualify 5 and serve as a PDP sponsor and to offer a prescription drug plan that offers standard coverage throughout the 7 United States. "(2) Premium; solvency; authorities.—In carrying out paragraph (1), the Secretary-10 "(A) shall establish a premium in the amount of 11 \$35 for months in 2005 and, for months in subsequent 12 years, in the amount specified in this subparagraph for 13 months in the previous year increased by the annual 14 percentage increase described in section 1860B(b)(5) 15 (relating to growth in medicare prescription drug costs 16 per beneficiary) for the year involved; 18 "(B) is deemed to have met any applicable solvency and capital adequacy standards; and 19 "(C) shall exercise such authorities (including the 20 use of regional or other pharmaceutical benefit man-21 agers) as the Secretary determines necessary to offer 22 the prescription drug plan in the same or a comparable 23 manner as is the case for prescription drug plans of-24 fered by private PDP sponsors. 25

F:\P7\HEALTH\MRX02\AMD\DARX17.001 [Deletion of Best Price provisions]

| Bill no.: Coma | itee | PCIA | +4 |
|---------------------|------|------|-------|
| Amendment no.: | 5 | | |
| Date offered: 6 | /20 | 02 | |
| Disposition: Net Qu | 1 | | by UV |

AMENDMENT TO H.R. 4954

OFFERED BY M.

(Amendment to Medicare Modernization and Prescription Drug Act of 2002)

(Page & line nos. refer to Committee Print #1 of title I of June 17, 2002)

With respect to the matter amended by the En Bloc amendment offered by Mr. Tauzin, strike the matter inserted on page 13, at the end of line 20, and on page 54, after line 9.



June 19, 2002 (7:45 PM) F:\V7\061902\061902.YF5

F:\P7\HEALTH\MRX02\AMD\DARX15.001 [price disclosure]

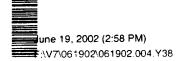
| Bill no.: <u>Commi</u> | Hee Print 4 |
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| Amendiment no.: | |
| Date offered: $\underline{\psi}$ | 20 02 |
| Disposition: Not | agreed to by |
| 25 years a | nd 31 ways |

AMENDMENT TO H.R. 4954 OFFERED BY MR. WAXMAN

(Amendment to Medicare Modernization and Prescription Drug Act of 2002)

(Page & line nos. refer to Committee Print #1 of title I of June 17, 2002)

Page 13, amend the sentence beginning on line 27 to read as follows: "The Administrator shall publish a clear and easily understandable comparison, for each PDP sponsor and each Medicare+ Choice organization, of the sponsor's or organization's negotiated price (referred to in paragraph (1)) for each covered outpatient drug with the average manufacturer price specified in section 1927(k)(1) for such drug.".



| Bill no.:_ | Committee Print 4 |
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| Amendm | ent no.: 8 |
| Date offer | red: <u> </u> |
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| 20 1 | en: Not gared to be |

AMENDMENT TO H.R.

OFFERED BY M.

(Amendment to Medicare Modernization and Prescription Drug Act of 2002)

(Page & line nos. refer to Print of June 14, 2002 9:14 PM)

At the end of section 1860C(d) of the Social Security Act (as proposed to be inserted by section 101(a)(2)) [page 19, after line 5] add the following new paragraph:

"(3) Negotiating Fair Prices with PharmaCEUTICAL MANUFACTURERS.—

- "(A) IN GENERAL.—The Secretary shall, consistent with the goals of providing quality care and containing costs under this part, negotiate contracts with manufacturers of covered outpatient drugs that provide for the maximum prices that may be charged to individuals enrolled in a prescription drug plan, a Medicare+Choice plan that provides coverage of covered outpatient drugs, or a qualified retiree prescription drug plan, by participating pharmacies for dispensing such drugs to such individuals.
 - "(B) Promotion of breakthrough drugs.—
 - "(i) IN GENERAL.—In conducting negotiations with manufacturers under this paragraph, the Secretary shall take into account the goal of promoting the development of breakthrough drugs.
 - "(ii) DEFINITION.—For purposes of this paragraph, a drug is a 'breakthrough drug' if the Secretary determines it is a new product that will make a significant and major improvement by reducing physical or mental illness, reducing mortality, or reducing disability, and that no other product is available to enrollees that achieves similar results for the same condition.

une 17, 2002 (6:11 PM) ::\V7\061702\061702.0H0.Y58

F:\P7\HEALTH\MRX02\AMD\DARX8B.001 [Gap filler for Individuals Diagnosed with ALS]

| Bill no.: Committee Print 4 |
|---|
| Amendment no.: 11 |
| Date offered: 6/20/62 |
| Disposition: Not agreed to by 19 years and 28 mus |
| 19 year and 28 mys |

AMENDMENT TO H.R. OFFERED BY MRS. CAPPS

(Amendment to Medicare Modernization and Prescription Drug Act of 2002)

(Page & line nos. refer to Print of June 14, 2002 9:14 PM)

In section 1860G of the Social Security Act (as proposed to be inserted by section 101(a)(2))—

(1) amend the section heading [page 38, lines 10 and 11] to read as follows:

"SEC. 1860G. PREMIUM AND COST-SHARING SUBSIDIES
 FOR LOW-INCOME INDIVIDUALS AND COST SHARING SUBSIDIES FOR INDIVIDUALS WITH
 ALS.";

- (2) add at the end of subsection (a) [page 41, after line 2] the following:
- "(6) Cost-Sharing gap-filling subsidy for individuals with als.—In the case of an individual who is eligible to elect, and has elected, to obtain qualified prescription drug coverage under this part and who is described in section 226(h) (relating to individuals determined to have amyotrophic lateral sclerosis (ALS)), the individual is entitled under this section to the substitution for the beneficiary cost-sharing described in paragraphs (2) and (3) of section 1860B(b), for cost-sharing (for costs above the annual deductible specified in paragraph (1) of such section and up to the annual out-of-pocket threshold specified in paragraph (4)(B) of such section) equal to 20 percent.

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F:\P7\HEALTH\MRX02\AMD\DARX4.001 [No Gap in Coverage]

| Bill no.:(| ommi' | Hee | prin | +4 | _ |
|---------------------|-------|-----|------|-----|---|
| Amendment | no.: | 12 | _,, | | |
| H.] Date offered | [C.6] | 20 | 02 | | |
| Disposition: | Not | ao | reed | to | by |
| 22 vea | s an | J | 30 | May | <u>, </u> |

AMENDMENT TO H.R.

OFFERED BY MR. GREEN OF TEXAS

(Amendment to Medicare Modernization and Prescription Drug Act of 2002)

(Page & line nos. refer to Print of June 14, 2002 9:14 PM)

Strike paragraphs (2) and (3) of section 1860B(b)(2) of the Social Security Act [page 14, line 23 through page 15, line 37] (as proposed to be inserted by section 101(a)(2)) and insert the following:

"(2) Limits on Cost-sharing.—

"(A) In General.—The coverage has cost-sharing

(for costs above the annual deductible specified in paragraph (1) and up to the annual out-of-pocket threshold

specified in paragraph (4)(B)) equal to 20 percent.

"(B) Use of tiered copayments.—Nothing in

this part shall be construed as preventing a PDP sponsor from applying tiered copayments, so long as such tiered copayments are consistent with subparagraph

(A).

F:\P7\HEALTH\MRX02\AMD\DARX8C.001 [Gap filler for Widows]

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AMENDMENT TO H.R.

OFFERED BY MR. MARKEY

| Bill no.:_ | H.L. | Pma | nitte | e Pr | int | 4 |
|--------------------|---------|-----|-------|------|------------------|---|
| Amendm | ent no. | · | 13 | | | |
| Date offe | red: | 4 | 20 | ٥2 | | |
| | | | | | , by | _ |
| Disposition 2/4 ea | s an | rJ | 28 | Na | بد بر | |

(Amendment to Medicare Modernization and Prescription Drug Act of 2002)

(Page & line nos. refer to Committee Print #1 of June 17, 2002)

Page 32, amend lines 33 and 34 to read as follows:

1 "SEC. 1860G. PREMIUM AND COST-SHARING SUBSIDIES
2 FOR LOW-INCOME INDIVIDUALS AND COST3 SHARING SUBSIDIES FOR WIDOWS.";

Page 35, after line 23, insert the following new paragraph:

"(6) COST-SHARING GAP-FILLING SUBSIDY FOR WID-OWS.—In the case of an individual who is eligible to elect, and has elected, to obtain qualified prescription drug coverage under this part and who is a widow, the individual is entitled under this section to the substitution for the beneficiary cost-sharing described in paragraphs (2) and (3) of section 1860B(b), for cost-sharing (for costs above the annual deductible specified in paragraph (1) of such section and up to the annual out-of-pocket threshold specified in paragraph (4)(B) of such section) equal to 20 percent.



une 20, 2002 (7:19 PM) :\V7\062002\062002.0H0.XO1

| | Bill no .: Committee Print 4 |
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| F:\P7\HEALTH\MRX02\AMD\DARX10.001 [FEHBP BC-BS drug benefit as minimum drug ben | |
| [FEHBP BC-BS drug benefit as minimum drug bei | Date offered: 6 20 02 |
| AMENDMENT TO H.R. | Disposition: Not agreed to by |

OFFERED BY Mr. Brown

(Amendment to Medicare Modernization and Prescription Drug Act of 2002)

(Page & line nos. refer to Print of June 14, 2002 9:14 PM)

In section 1860B(b) of the Social Security Act (as proposed to be inserted by section 101(a)(2)), add at the end [page 17, after line 2] the following new paragraph:

"(6) MINIMUM COVERAGE.—Notwithstanding the previous provisions of this subsection, in no case shall standard coverage be less for a year than the outpatient prescription drug coverage provided for covered outpatient drugs under the standard option of the Service Benefit plan referred to in section 8903(1) of title 5, United States Code, for that year.

F:\P7\HEALTH\MRX02\AMD\DARX9.001 [Counting all out-of-pocket costs]

| Bill no.: | 'ommittee | Wint 4 |
|----------------------|-----------|--------|
| Amendment | 16 | |
| Date offered: | 6/21/0 | 2 |
| Disposition:_ ame | agreed | to, 95 |
| ame | wided, k | y UV |

AMENDMENT TO H.R.

OFFERED BY MR. GREEN OF TEXAS

(Amendment to Medicare Modernization and Prescription Drug Act of 2002)

(Page & line nos. refer to Print of June 14, 2002 9:14 PM)

In section 1860B(b)(4)(C) of the Social Security Act (as proposed to be inserted by section 101(a)(2)), strike clause (ii) [page 16, lines 28 through 32].

Substitute AMENDMENT TO H.R. 4954

OFFERED BY Mr. Deal

| Bill no .: Lemmittee Print 4 |
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| Amendment no.: 6 a |
| Date offered: 6/81/02 |
| Disposition: agreed to by 31 year and 22 mys |
| 31 year and 22 mys |

(Amendment to Medicare Modernization and Prescription Drug Act of 2002)

(Page & line nos. refer to Committee Print #1 of title I of June 17, 2002)

Page 11, amend lines 17 through 21 to read as fol-

lows: 1 $\lq\lq(ii)$ such costs shall be treated as incurred only if they are paid by the individual (or by an-2 other individual, such as a family member, on behalf of the individual), under section 1860G, or under title \boldsymbol{XIX} and the individual (or other individual) is not reimbursed through insurance or otherwise, a group health plan, or other third-party payment arrangement for such costs. 8



F:\P7\HEALTH\MRX02\AMD\JOHN.002 [Any willing pharmacy]

| Bill no .: Committee Print 4 |
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| Amendment no.: 17 |
| Date offered: 62102 |
| Disposition: Not agreed to by |
| 25 year and 27 ways |

AMENDMENT TO H.R. 4954

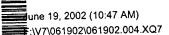
OFFERED BY MR. JOHN

(Amendment to Medicare Modernization and Prescription Drug Act of 2002)

(Page & line nos. refer to Committee Print #1 of title I of June 17, 2002)

Amend section 1860C(c)(1) of the Social Security Act [page 16, line 35 through page 17, line 19] (as proposed to be inserted by section 101(a)(2)) to read as follows:

"(1) ASSURING ACCESS TO ANY WILLING PHARMACY.—The PDP sponsor of the prescription drug plan
shall secure the participation in its network of any willing
pharmacy that dispenses (other than by mail order) drugs
directly to patients and that meets any standards established by the sponsor that are consistent with standards,
established by the Administrator, that ensure convenient
access (as determined by the Administrator and including
adequate emergency access) for enrolled beneficiaries.



F:\P7\HEALTH\MRX02\AMD\DARX7.001 [Discounts Under Rx Card]

| Ill no .: Committee Print 4 |
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| Amendment no.: 18 |
| Date offered: 6/21/02 |
| Disposition: Not agreed to |
| by 20 years and 32 may |

AMENDMENT TO H.R.

OFFERED BY Mr. Stupat

(Amendment to Medicare Modernization and Prescription Drug Act of 2002)

(Page & line nos. refer to Print of June 14, 2002 9:14 PM)

In section 1807(b)(1) of the Social Security Act (as proposed to be inserted by section 105), insert before the period at the end [page 62, line 21] the following: ", which are not less than 35 percent of the average whole-sale price for the prescription drugs involved".

F:\P7\HEALTH\MRX02\AMD\STUPAK.004 [Access to FSS Supply Prices]

| Bill no.: | Commi | ttee | Privit | 4 |
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| Amendin | ent no.:_ | 19 | | |
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| Dispositio | n. Not | agre | red + | 6 by |
| 20 ve | ias an | v 35 | 2 may | s |
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AMENDMENT TO H.R.

OFFERED BY MR. STUPAK

(Amendment to Medicare Modernization and Prescription Drug Act of 2002)

(Page & line nos. refer to Print of June 14, 2002 9:14 PM)

Add at the end of section 1860B(d) of the Social Security Act (as proposed to be inserted by section 101(a)(2)) [page 19, after line 5] the following new paragraph:

"(3) ACCESS TO FEDERAL SUPPLY SCHEDULE PRICES.—Notwithstanding any other provision of law, any individual who is enrolled with a prescription drug plan under this part, or with a Medicare+Choice organization under part C, shall be eligible to obtain prescription drugs through at the prices specified in the Federal Supply Schedule.



F:\P7\HEALTH\MRX02\AMD\STUPAK.006

Bill no.: Committee film 4

Amendment no.: 20

Date offered: 6/21/02

Disposition: Not agreed to by 22 years and 28 mays

AMENDMENT TO H.R.

OFFERED BY MR. STUPAK

(Amendment to Medicare Modernization and Prescription Drug Act of 2002)

(Page & line nos. refer to Committee Print of title I of June 17, 2002)

At the end of section 1860A of the Social Security

Act [page 7, after line 29] (as proposed to be inserted

by section 101(a)(2)) add the following new subsection:

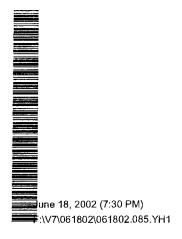
"(e) TOTALLY VOLUNTARY NATURE OF PROGRAM.—En
rollment in a prescription drug plan under this title shall be to
tally voluntary and no individual shall be required to enroll in

such a plan as part of any contract with any employer or under

any collective bargaining agreement or otherwise (including any

revision made to any benefit or pension plan or agreement re
ferred to in section 9701 of the Internal Revenue Code of

1986, relating to coal industry health benefits).



F:\P7\HEALTH\MRX02\AMD\SAWYER.002

| Bill no.: Com | nittee Print 4 |
|-----------------|----------------|
| Amendment no.:_ | 22 |
| Date offered: | 6/21/02 |
| Disposition: | Withdrawn |
| | |

AMENDMENT TO H.R.

OFFERED BY MR. SAWYER

(Amendment to Medicare Modernization and Prescription Drug Act of 2002)

(Page & line nos. refer to Committee Print of titles II & IV of June 17, 2002)

Add at the end of section 1860D of the Social Security Act (as proposed to be inserted by section 101(a)(2)) [page 28, after line 24], the following new subsection:

- 1 "(g) PROVISION OF DATA.—Each PDP sponsor shall en-
- 2 sure timely access to appropriate data for the coordination and
- 3 continuation of efforts of the Secretary to monitor and improve
- 4 quality, conduct related research, and for other purposes. The
- 5 Secretary shall establish by regulation these data reporting and
- 6 coordination requirements by October 1, 2003.".

June 18, 2002 (6:53 PM)

F:\P7\HEALTH\MRX02\AMD\DARX11.001

| Bill no.: | Committee Print 4 |
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| Ąmendment n | o.: <u>23</u> |
| Date offered:_ | 6/21/02 |
| Disposition: N | ot agreed to by |
| 22 years a | ud 30 NAYS |

AMENDMENT TO H.R.

OFFERED BY Mr. Waxman

(Amendment to Medicare Modernization and Prescription Drug Act of 2002)

(Page & line nos. refer to Print of June 14, 2002 9:14 PM)

In section 1860G(a)(4)(A) of the Social Security Act (as proposed to be inserted by section 101(a)(2)), strike clause (iii) [page 39, lines 29 and 30].

June 16, 2002 (5:13 PM) F:\V7\061602\061602.015

F:\P7\HEALTH\MRX02\AMD\GREETX.003 [Inclusion of Insulin Syringes]

| Bill no.: | mmittee | Print 4 | |
|-------------------|---------|---------|--|
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| Date offered: | 6/21 | 02 | |
| Disposition: | Withde | ัลพก | |
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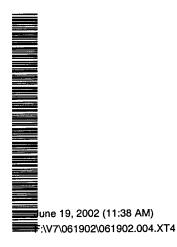
AMENDMENT TO H.R. 4954

OFFERED BY MR. GREEN OF TEXAS

(Amendment to Medicare Modernization and Prescription Drug Act of 2002)

(Page & line nos. refer to Committee Print #1 of title I of June 17, 2002)

Page 14, line 27, insert before the period at the end the following: "and medical supplies associated with the injection of insulin (as defined in regulations of the Secretary)".



F:\P7\HEALTH\MRX02\AMD\ECRT1C.004 [\$3700 limit & best 66% subs

| st 66% subsidy] | Amendment no.: 25 |
|------------------------|------------------------------|
| | Date offered: 6 21 02 |
| AMENDMENT TO H.R. 4954 | Disposition: agreed to by VV |
| Offered by Mr. Tauzin | |

Bill no .: Committee Print 4

AMEND

(Amendment to Medicare Modernization and Prescription Drug Act of 2002)

(Page & line nos. refer to Committee Print #1 of title I of June 17, 2002)

Page 10, line 37. strike "\$3.800" and insert "\$3,700".

Page 38, line 1, strike "65 percent" and insert "66 percent".

Page 38, line 11, strike "35 percent" and insert "36 percent".



June 20, 2002 (9:44 AM) F:\V7\062002\062002.011